	Case 2:02-cr-00078-LRH-PAL Document 20 Filed 05/30/13 Page 1 of 2
1	
2	
3	
4	
5	
6	UNITED STATES DISTRICT COURT
7	DISTRICT OF NEVADA
8	****
9	UNITED STATES OF AMERICA,)
10) 2:02-cr-00078-LRH-PAL
11	Plaintiff,) <u>ORDER</u>
12))
13	RICHARD J. VELUZ,
14	Defendant.)
15	Before the court is Defendant Richard Veluz' Motion in Support of Review and Correction
16	of Sentence Pursuant to 18 U.S.C § 3582(c)(2) and U.S. v. Booker and U.S. v. Ameline (doc. #18)
17	filed January 11, 2006. Having read and considered Defendant's motion, and the Government's
18	Response thereto (doc. #19), filed January 30, 2006, the court finds that Defendant's motion must
19	be denied.
20	First, the relief requested by Defendant Veluz is not available under 18 U.S.C. § 3582(c)(2)
21	because Defendant's motion is not based upon the lowering of applicable sentencing guidelines by
22	the United States Sentencing Commission pursuant to 28 U.S.C. § 994(c). Second, to the extent
23	Defendant motion seeks relief under <i>United States v. Booker</i> , 543 U.S. 220 (2005) or <i>United States</i>
24	v. Ameline, 409 F.3d 1073 (9th Circ. 2005), Defendant's motion is untimely.
25	///
26	///
27	///
28	///

1	IT IS THEREFORE ORDERED that Defendant Richard Veluz' Motion in Support of
2	Review and Correction of Sentence Pursuant to 18 U.S.C. § 3582(c)(2) and U.S. v. Booker and U.S.
3	v. Ameline (doc. #18) is DENIED.
4	
5	IT IS SO ORDERED. DATED this 30th day of May, 2013
6	DATED this 30th day of May, 2013.
7	LARRY R. HICKS
8	UNITED STATES DISTRICT JUDGE
9	
10	
11	
12	
13	
14	
15	
16 17	
18	
19	
20	
21	
22	
23	
24	
25	
26	
27	
28	

Case 2:02-cr-00078-LRH-PAL Document 20 Filed 05/30/13 Page 2 of 2